

REMARKS

The Office Action of August 12, 1999, has been carefully considered.

It is noted that claims 1-10, 12-22 and 29 are objected to under 37 CFR 1.75(a).

Claim 29 is rejected under 35 USC 112, first paragraph.

Claims 1-10, 12-14, 19, 20 and 22 are rejected under 35 USC 103(a) over European reference 09 92 64 to Doyle in view of the patent to Raschke, et al. and the patent to Calabrese, et al.

Claim 15 is rejected under 35 USC 103(a) over Doyle in view of Raschke, et al. and Calabrese, et al., and further in view of the patent to Back.

Claims 16 and 17 are rejected under 35 USC 103(a) over Doyle in view of Raschke, et al. and Calabrese, et al., and further in view of the patent to Chu, et al.

Claim 18 is rejected under 35 USC 103(a) over Doyle in view of Raschke, et al. and Calabrese, et al., and further in view of the patent to Peterson.

Claim 21 is rejected under 35 USC 103(a) over Doyle in view of Raschke, et al. and Calabrese, et al., and further in view of the patent to Tomanek.

In view of the Examiner's rejections of the claims, applicants have amended claim 1.

Applicants have amended line 6 of claim 1 as suggested by the Examiner. In view of this change it is respectfully submitted that the rejection of claims 1-10, 12-22 and 29 under 37 CFR 1.75(a) is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file particularly point out and distinctly claim the subject matter which applicants regard as the invention. Concerning the non-image locations and the image locations as they relate to the term "picture" recited in claim 1, the liquid toner particles are fixed in accordance with a picture to be printed, as recited in claim 1. All this means is that the liquid toner particles are fixed to form either a positive or a negative of the desired picture. The portion of claim 1 referred by the Examiner deals with the fixing of the liquid toner particles in accordance with a picture, and the term "picture" encompasses both a positive and a negative image. Applicants have made a minor amendment to the specification in an attempt to clarify this. It is respectfully submitted that those skilled in the art would readily understand the invention and the fact that the toner particles can be fixed to create either a positive or a negative image of the picture.

In view of these considerations it is respectfully submitted that the rejections of claims 29 under 35 USC 112, first and second paragraphs, are overcome and should be withdrawn.

Turning now to the references, and particularly to the Doyle reference, it can be seen that this reference teaches improvements in printing plates. Applicants respectfully disagree with the Examiner's position that Doyle teaches applying "liquid" toner particles. Doyle clearly only discusses utilizing a powder material.

The patent to Raschke, et al., discloses a reusable printing master and a method of making such a master. Raschke, et al. only deal with applying a powder to the print substrate. Raschke, et al. transfer the powder toner particles to a belt 10 in a first step and then transfer the printing form via a pressure roller 36 in a second step.

The patent to Calabrese, et al. discloses a method for making lithographic printing plates utilizing a liquid toner. The printing form of Calabrese, et al., however, is not completely charged so that the liquid toner particles are attracted to the entire surface of the printing form. Instead, Calabrese, et al. specifically state that the electrostatic charge is selectively applied to the surface in a predetermined pattern corresponding to the image to be printed.

The Examiner combined these references in determining that claims 1-10, 12-14, 19, 20 and 22 would be unpatentable. It is respectfully submitted that a combination of these references does not teach a method in which wet, liquid toner is utilized so that the entire imaging and erasing process can be carried out with water or a watery medium, as is possible with the presently claimed invention. Furthermore, there is nothing in the combined teachings of the references cited by the Examiner which teaches controlling the thickness of the layer of liquid toner particles by controlling voltage or time during charging, as in the presently claimed invention. Still further, there is no teaching by the combination of references of fixing the liquid toner particles with the source of energy in accordance with the picture to be printed.

The error in making the combination proposed by the Examiner is that the references provide no suggestion for making the combination suggested by the Examiner. Applicants respectfully submit that the only way one skilled in the art would combine the references relied upon by the Examiner to arrive at the presently claimed invention as if the person skilled in the art had the present application as a plan or guide. This, of course, is clearly impermissible hindsight reconstruction. Furthermore, even if the references are combined the combination does not contain a number of the steps recited in the claims presently on file and discussed above, namely, for example, the controlling of the thickness of the layer of liquid toner particles by controlling voltage or time during the charging step.

In view of these considerations it is respectfully submitted that the rejection of claims 1-10, 12-14, 19, 20 and 22 under 35 USC 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

As for the remaining references which were cited in combination with the references discussed above in rejecting various of the dependent claims, these references have also been considered. Since they do not come close to the currently claimed subject matter than the references discussed above it is believed that any detailed comments thereon at this time would be superfluous.

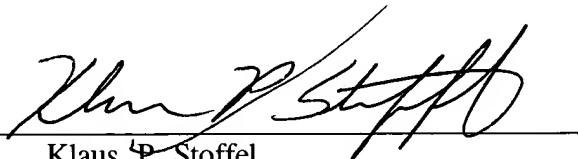
Thus, it is respectfully submitted that the rejections of claims 15-18 and 21 under 35 USC 103(a) are also overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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